

**RULES AND REGULATIONS**  
**FOR NON-ALCOHOLIC BEVERAGES,**  
**DRINKS AND JUICES**  
(R21-23-BB)

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Health

August 1987

*As Amended*

August 1987 (E)

December (E)

March 1988

**January 2002 (re-filing in accordance with  
the provisions of section 42-35-4.1 of the  
Rhode Island General Laws, as amended)**

## INTRODUCTION

These amended Rules and Regulations For Non-Alcoholic Bottled Beverages, Drinks and Juices (R21-23-BB), promulgated pursuant to the authority set forth in Chapter 21-23 of the General Laws of Rhode Island, 1956, as amended, for the purpose of adopting unified definitions to be applied to those appropriate Parts of Subchapter B-FOOD FOR HUMAN CONSUMPTION of Chapter 1 Food and Drug Administration, U.S. Department of Health and Human Services (revised as of April 1987) as listed below, and adopted as the Rules and Regulations For Non-Alcoholic Bottled Beverages, Drinks and Juices (R21-23-BB) for the State of Rhode Island pursuant to the provisions of section 21-31-1 of the General Laws of Rhode Island, 1956, as amended. The specific PARTS are:

1. Appropriate sections of PART 101 - FOOD LABELING which pertain to nonalcoholic bottled beverages, drinks and juices;
2. PART 103 - QUALITY STANDARDS FOR FOODS WITH NO IDENTITY STANDARDS:
3. PART 110 - CURRENT FOOD MANUFACTURING, PRACTICE IN MANUFACTURING PROCESSING, PACKING, OR HOLDING HUMAN FOOD:
4. PART 129 - PROCESSING AND BOTTLING OF BOTTLED DRINKING WATER: AND
5. PART 165 - NONALCOHOLIC BEVERAGES.

In accordance with the provisions of section 42-35-3 (c) of the General Laws of Rhode Island, 1956, as amended, consideration was given to: (1) alternative approaches to the regulations; (2) duplication or overlap with other state regulations; and (3) any significant economic impact on small business as defined in Chapter 42-35 of the General Laws. Based on available information no known alternative, duplication, overlap or economic impact was identified.

These amended rules and regulations shall supersede all previous rules and regulations pertaining to Nonalcoholic Bottled Beverages, Drinks and Juices promulgated by the Department of Health and filed with the Secretary of State.

## SECTION 1.0            DEFINITIONS:

Wherever used in the Rules and Regulations for Non-alcoholic Bottled Beverages, Drinks and Juices (R21-12-BB) the following terms shall be construed as follows:

- 1.1     "Bottled Drinking Water" means all water which is sealed in bottles, packages, or other containers and offered for sale for human consumption, including mineral water and spring water.
- 1.2     "Drinks" mean non-alcoholic beverages which may be artificially flavored or contain less than 100% natural juice, which may be carbonated, but which are usually non-carbonated.
- 1.3     "Non-Alcoholic Bottled Beverages, Drinks and Juices" include all carbonated and non-carbonated fruit and vegetable juices and drinks; or any other soft drink so called, the syrups and bases from which non-alcoholic beverages are prepared; any bottled drinking water; and all other beverages not regulated and defined under Title 3, Alcoholic Beverages, and Chapter 21-2, Milk Sanitation Code of the General Laws of Rhode Island, 1956, as amended.
- 1.4     "Mineral Water" means water that is impregnated with mineral solids and has been obtained entirely from an approved source. It shall contain not less than 500 parts per million (ppm) of dissolved mineral solids.
- 1.5     "Soda Water" means carbonated beverages which meet the description of Part 165 - Non-alcoholic Beverages section 165.175, Soda Water, of the Code of Federal Regulations (revised as of April 1987), U.S. Department of Health and Human Services.

## Section 2.0        APPLICABILITY OF THE DEFINITIONS

- 2.1     The definitions of section 1.0 above shall apply to those appropriate sections of the Rules and Regulations for Non-Alcoholic Bottled Beverages, Drinks and Juices (R21-23-BB) and shall be subject to the requirements of said regulations.

## Section 3.0       SEVERABILITY

- 3.1     If any provision of these regulations or the application thereof to any facility or circumstance shall be held invalid, such invalidity shall not affect the provisions or application of the regulations which can be given effect, and to this end the provisions of the regulations are declared to be severable.